

BEFORE THE TENNESSEE REGULATORY AUTHORITY

Nashville, Tennessee

June 19, 2002

**In Re: Petition of Tennessee UNE-P Coalition to Open a Contested Case Proceeding
to Declare Unbundled Switching an Unrestricted Unbundled Network
Element.**

Docket No. 02-00207

ORDER GRANTING EXTENSION

This matter comes before the Hearing Officer, Director Melvin J. Malone, for consideration of the *Joint Motion to Extend the Deadline to Respond to Motions to Compel* filed on June 18, 2002, by BellSouth Telecommunications, Inc. and the UNE-P Coalition.¹

Movants request that the Hearing Officer extend the time for filing responses to motions to compel from Tuesday, June 18, 2002, to Friday, June 21, 2002. In support of their motion, movants contend that the extension will not necessitate an extension of any other procedural schedule dates. They also explain that the extension is needed to adequately prepare their responses and to permit the parties an opportunity to attempt to resolve objections by agreement.

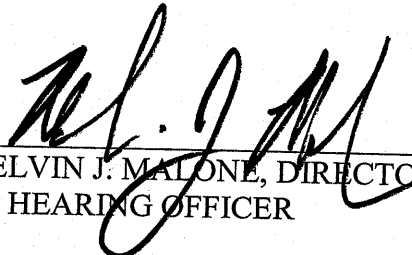
The Hearing Officer finds that good cause exists for the three-day extension; however, the Hearing Officer cannot agree with movants' contention that the extension does not necessitate further modification of the procedural schedule. Upon the filing of responses to the motions to compel, additional time will be needed to facilitate the issuance of an order disposing of the discovery disputes and the compliance therewith by the parties. Therefore, the Hearing

¹ The UNE-P Coalition consists of New South Communications; Birch Telecom of the South, Inc.; Ernest Communications, Inc.; Access Integrated Networks, Inc.; MCImetro Access Transmission Services, LLC; MCI WorldCom Communications; Z-Tel Communications, Inc.; and AT&T Communications, Inc.

Officer finds that the *Joint Motion to Extend the Deadline to Respond to Motions to Compel* should be granted such that the time for filing responses to motions to compel should be extended to Friday, June 21, 2002. Additionally, the time for filing responses to discovery requests should be extended from Friday, June 28, 2002, to Wednesday, July 3, 2002.

IT IS THEREFORE ORDERED THAT:

1. The *Joint Motion to Extend the Deadline to Respond to Motions to Compel* is granted such that the time for filing responses to motions to compel is extended to **2:00 p.m., Friday, June 21, 2002.**
2. The time for filing responses to discovery requests is extended to **2:00 p.m., Wednesday, July 3, 2002.** All other procedural schedule dates shall remain the same.
3. The Executive Secretary shall ensure that a copy of this order is served upon Network Telephone; Business Telecom, Inc.; Adelphia Business Solutions, Inc. and XO Tennessee, Inc.²


MELVIN J. MALONE, DIRECTOR
AS HEARING OFFICER

ATTEST:



K. David Waddell, Executive Secretary

² On May 24, 2002, BellSouth Telecommunications, Inc. served discovery requests on each of these companies, although none of the companies had requested intervention in this docket. Each company filed objections to the discovery requests. On June 11, 2002, BellSouth Telecommunications, Inc. filed a motion to compel responses from the companies.